

**REDACTED PURSUANT TO ECF NO. 111**

# **EXHIBIT 11**

**to**

**DECLARATION OF ABIGAIL WALD IN  
SUPPORT OF DEFENDANT CITY AND COUNTY  
OF SAN FRANCISCO'S OPPOSITION TO  
PLAINTIFFS' MOTION FOR PRELIMINARY  
INJUNCTION**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

- - - - -  
JANE ROE, an individual; MARY ROE, ) CASE NO.  
an individual; SUSAN ROE, an ) 4:24-cv-01562-  
individual, JOHN ROE, an individual; ) JST  
BARBARA ROE, an individual; PHOENIX )  
HOTEL SF, LLC, a California limited )  
liability company, et al., )  
Plaintiffs, )  
vs. )  
CITY AND COUNTY OF SAN FRANCISCO, a )  
California public entity, )  
Defendant. )  
- - - - -

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

VIDEOTAPED DEPOSITION OF JOHN ROE

TUESDAY, SEPTEMBER 9, 2025

PAGES 1 - 180; VOLUME 1

BEHMKE REPORTING & VIDEO SERVICES, INC.

BY: PAULA S. BEHMKE, CSR NO. 6284

and MICHELLE CORRIGAN, CSR NO. 9079

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8 Confidential Videotaped Deposition of JOHN ROE,  
9 Volume 1, taken on behalf of Defendant, at 1390 Market  
10 Street, 7th Floor, San Francisco, California, commencing  
11 at 9:23 A.M., TUESDAY, SEPTEMBER 9, 2025, before Paula  
12 S. Behmke, Certified Shorthand Reporter No. 6284  
13 (via Zoom), and Michelle Corrigan, Certified Shorthand  
14 Reporter No. 9079 (In-person), pursuant to Notice.  
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1 Q. And when you -- would you say that you are  
2 familiar with how to use the 311 App on your phone?

3 A. No. No, because I haven't used it that much as  
4 to say that I am familiar. In fact, I deleted many  
5 times and uploaded many times.

6 Q. What's your best estimate of the number of times  
7 you've used the 311 App to communicate with the City  
8 about conditions in the Tenderloin between 2020 and  
9 today?

10 A. I have no idea.

11 Q. This question might seem absurd, but is there  
12 any way it's more than a thousand?

13 A. Oh, no.

14 Q. Is there anyway it's more than 100?

15 A. No.

16 Q. Is there anyway it's more than 50?

17 A. No, I would say that probably around 10 times.

18 (Reporter interrupts.)

19 THE WITNESS: Ten times, yes.

20 BY ATTORNEY MURPHY:

21 Q. When is the last time you remember using the  
22 311 App to communicate with the City about conditions in  
23 the Tenderloin?

24 A. I don't remember.

25 Q. Do you remember doing it all in 2025?

1 A. No.

2 Q. Do you remember doing it all in 2024?

3 A. I don't think so.

4 Q. The same questions about 911.

5 What's your best estimate of the number of  
6 times you've called 911 because of conditions in the  
7 Tenderloin?

8 A. I don't know. Probably five times?

9 Q. And that's five times between 2020 and today?

10 A. I haven't called in 2025, so probably was  
11 between 2020 and 20-- beginning of 2024.

12 Q. I think I'm following. Let me repeat it back  
13 and you tell me if I have it right.

14 You recall using 911 to contact the City about  
15 conditions in the Tenderloin approximately five times  
16 between 2020 and today, but none of those times were in  
17 2025, and the last one you recall was early 2024.

18 A. Yes.

19 Q. New topic. Social media.

20 Have you ever used a social media account to  
21 talk about conditions in the Tenderloin?

22 A. Yes.

23 Q. What, if any, social media accounts have you  
24 used?

25 A. The App called X.

1 Q. When is the last time you remember posting on  
2 the X account you used to communicate about the  
3 Tenderloin?

4 A. I don't remember, but I could say that was  
5 probably -- I'm not even sure if in 2024 I uploaded any  
6 image or create any post.

7 Q. So is it fair to say that without looking at  
8 the account, your best recollection, the last time you  
9 posted on the Tenderloin X account was either in 2023 or  
10 maybe early 2024?

11 A. Yes.

12 Q. Why haven't you posted anything to the  
13 Tenderloin X account in the past year or so?

14 A. Because when the City placed an Urban Alchemy  
15 employee, I -- I stop.

16 Q. So another one of those basic questions.  
17 What is your understanding of what Urban  
18 Alchemy is?

19 A. It's a nonprofit that employs ex-convicts to be  
20 ambassadors in the Tenderloin.

21 Q. And your understanding is that the City  
22 contracts with Urban Alchemy to provide services?

23 A. Again?

24 Q. Your understanding is that the reason Urban  
25 Alchemy is in the Tenderloin is because the City

1 contracts with them?

2 A. Yes.

3 Q. And your best recollection is that someone from

5 either the end of 2023 or early 2024?

6 A. Yes.

7 Q. What, if any, impact did you notice when

9 in the end of 2023 or early 2024?

10 ATTORNEY MINOIEFAR: Object to form.

11 THE WITNESS: What I perceived visually was a  
12 decrease in the amount of people coming to stay in

14 BY ATTORNEY MURPHY:

15 Q. Did you visually observe a decrease in the  
16 number of people you believed to be using drugs in front

18 A. I -- I mean, what I can say is that I saw the  
19 decrease in the number of people. What these people do,  
20 I cannot really say.

21 Q. Is it fair to say that, in general, you can

23 can't always observe what that individual is doing?

24 A. Yes.

25 Q. Other than the account you had on X, any other

1 TUESDAY, SEPTEMBER 9, 2025; 11:18 A.M.

2 (Whereupon, the following proceedings were  
3 reported by Michelle Corrigan, CSR NO. 9079.)

4 THE VIDEOGRAPHER: We're back on the record.  
5 Time is 11:18.

6 THE REPORTER: My name is Michelle Corrigan,  
7 Certified Shorthand Reporter for the State of California,  
8 CSR Number 9079.

9 MS. MURPHY: Just for the record, we swapped  
10 court reporters, but everyone else is in the room is still  
11 the same. Agreed?

12 MR. MINOIEFAR: Agreed.

13 EXAMINATION RESUMED

14 BY MS. MURPHY:

15 Q. Ask you some more questions with conditions in  
16 the Tenderloin.

17 Do you know, one way or the other, if there are  
18 businesses in the Tenderloin that sell smoking supplies?

19 A. Yes.

20 Q. Yes, there are?

21 A. Yes.

22 Q. And do you know, one way or the other, if there  
23 are people in the Tenderloin that sell smoking supplies on  
24 the street?

25 A. Yes.



1 Q. Yes, there are?

2 A. Yes.

3 Q. Do you know, one way or the other, if there are  
4 people in the Tenderloin that sell fentanyl on the street?

5 A. I've read about it in the newspapers.

6 Q. But from your personal knowledge, you don't know  
7 one way or the other if people sell fentanyl in the street  
8 in the Tenderloin; is that fair?

9 A. I've seen people selling powder substances -- I  
10 can't tell if that's fentanyl -- but with an electronic  
11 portable scale on the sidewalk. Probably it's some  
12 substance that is not legal, but I can't assure.

13 Q. That's fair. So is it fair to say that you have  
14 seen people selling white powder with scales on the side of  
15 the street -- in the side of the street in the Tenderloin,  
16 but you've never actually done a test to see chemically if  
17 it was fentanyl?

18 A. Yes.

19 Q. Is it fair to say that you've seen people sell  
20 methamphetamines on the street in the Tenderloin?

21 A. Again, I've seen selling crystals, rocks,  
22 powders, but I can't tell what substance it is.

23 Q. And would you agree that substance use is a  
24 complex problem?

25 A. Ask me again.

1 Q. Would you agree that substance use is a complex  
2 problem?

3 A. Substance use?

4 Q. Yeah.

5 A. A complex problem?

6 Q. (Nods.)

7 A. No. It's very easy to consume a substance.

8 Q. Okay. Would you agree that dealing with  
9 addiction from substance use is a complex problem?

10 A. Yes.

11 Q. Would you agree that there's no easy solution to  
12 dealing with the problems that come from addiction to a  
13 substance?

14 MS. MURPHY: Object to form.

15 THE WITNESS: Ask again.

16 BY MS. MURPHY:

17 Q. Would you agree that there's no easy solution to  
18 dealing with the problems that come from addiction to a  
19 substance?

20 MR. MINOIEFAR: Object.

21 THE WITNESS: I can't tell, honestly.

22 BY MS. MURPHY:

23 Q. So is it fair to say that you don't know, one way  
24 or the other, if there is an easy solution to problems that  
25 come from addiction to a substance?

1 A. Yes. I cannot tell.

2 Q. Would you agree that reasonable people can  
3 disagree about the right approach to deal with problems  
4 that stem from addiction to a substance?

5 A. Yes.

6 Q. Would you agree that homelessness is a complex  
7 problem?

8 A. Yes.

9 Q. Would you agree that there's no easy solution to  
10 the problems that stem from homelessness?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I can't answer because I lack the  
13 expertise to say.

14 BY MS. MURPHY:

15 Q. Is it fair to say that you don't know, one way or  
16 the other, if there is an easy solution to the problems  
17 that stem from homelessness?

18 MR. MINOIEFAR: Object to form.

19 THE WITNESS: Again, I am not an expert so it's  
20 hard for me to --

21 BY MS. MURPHY:

22 Q. I'm not trying to push you. I just want to make  
23 sure I understand.

24 It sounds like what you're saying is you don't  
25 have an opinion, one way or the other, if there is an easy

1 solution to the problem?

2 A. Yes. I don't have it.

3 Q. Would you agree that homelessness is an issue  
4 where reasonable people may disagree about the approach?

5 MR. MINOIEFAR: Object to form.

6 THE WITNESS: Ask me again.

7 BY MS. MURPHY:

8 Q. Would you agree that homelessness is an issue  
9 that reasonable people might disagree about the approach?

10 A. Yes.

11 Q. Would you agree that the City of San Francisco is  
12 not responsible for the actions of third parties?

13 MR. MINOIEFAR: Object to form. Calls for legal  
14 conclusion.

15 BY MS. MURPHY:

16 Q. Would you agree that the City of San Francisco is  
17 not responsible for the actions of third parties?

18 MR. MINOIEFAR: Objection.

19 THE WITNESS: I can't tell.

20 BY MS. MURPHY:

21 Q. So you don't know, one way or the other, if the  
22 City is responsible for the actions of third parties?

23 A. (Shakes head.)

24 MR. MINOIEFAR: Object to form.

25 Mr. Roe, at times when I object, leave a space

1 for me to make the objection so the court reporter can take  
2 my objection down, and your answer.

3 BY MS. MURPHY:

4 Q. That's a good reminder for both of us. We both  
5 speak quickly, I think.

6 Would you agree that, based on your personal  
7 understanding, fentanyl is highly indicative?

8 A. Yes.

9 Q. Would you agree that, based on your personal  
10 understanding, methamphetamines are highly addictive?

11 A. Yes.

12 Q. Would you agree, based on your personal  
13 understanding, that a person who is addicted to fentanyl is  
14 not likely to stop using it even if the City stopped  
15 handing out smoking supplies?

16 MR. MINOIEFAR: Object to form.

17 THE WITNESS: Again, I mean, I don't know. I am  
18 not an expert, so --

19 BY MS. MURPHY:

20 Q. So is it fair to say that you don't have an  
21 opinion, one way or the other, if a person who's addicted  
22 to fentanyl would keep using it even if the City stopped  
23 handing out smoking supplies?

24 MR. MINOIEFAR: Object to form.

25 THE WITNESS: Again, I can't tell.

1 BY MS. MURPHY:

2 Q. And would your answer be the same if it was  
3 methamphetamines instead of fentanyl?

4 A. Yes.

5 Q. What is your understanding of when the City first  
6 started offering smoking supplies in the Tenderloin?

7 A. My understanding on when?

8 Q. Yes. When?

9 A. I have no idea.

10 Q. Do you know whether the City was offering smoking  
11 supplies in the Tenderloin in 2020?

12 A. I can't assure.

13 Q. Do you know whether the City was offering smoking  
14 supplies in the Tenderloin in 2000?

15 A. In 2000?

16 Q. Yes. So 25 years ago?

17 A. Oh, no. I wasn't in the City.

18 MR. MINOIEFAR: And, Mr. Roe, to the extent that  
19 the question implicates information you only know because  
20 of information provided to you by your attorney, don't  
21 share that information. If you need to ask me questions  
22 about that, we can go on a break and discuss it.

23 THE WITNESS: Okay.

24 BY MS. MURPHY:

25 Q. Did that instruction make sense?

1 A. Yes.

2 Q. So excluding any conversations with your  
3 attorney, do you know, one way or the other, if the City  
4 was distributing smoking supplies in the Tenderloin in  
5 2000?

6 A. I have no knowledge of that.

7 Q. And is it fair to say, then, that you have no  
8 opinion about whether or not the conditions in the  
9 Tenderloin changed at all when the City started offering  
10 smoking supplies?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I -- yeah. I don't have an opinion  
13 on that.

14 BY MS. MURPHY:

15 Q. And that's because you don't know when that  
16 conduct started, and so how could you know it was different  
17 before or after; is that right?

18 A. But even if I knew, it's such a -- you know,  
19 collecting information by my senses can give me a  
20 completely misleading understanding, and that's why I'm  
21 trying to be as close as possible to truthful and accurate  
22 information.

23 Q. That's helpful. So to make sure I'm tracking,  
24 for you, based on your personal experience, there are  
25 occasions where collected information from your senses can

1 end of 2023, in my experience.

2 Q. When is the time that you've noticed the least  
3 amount of police presence in the Tenderloin since you lived  
4 there?

5 A. That is hard to say because, as I said, you  
6 usually perceive the things that call your attention. So I  
7 don't know, honestly.

8 Q. That's fair. So to make sure I'm tracking, you  
9 don't know the timeframe when the police presence was the  
10 lowest in the Tenderloin because your attention is more  
11 naturally drawn to when they're there, and you might not  
12 pay attention when they're missing; is that fair?

13 A. Yes.

14 Q. And I think you also mentioned compliments for  
15 Urban Alchemy in the Tenderloin; is that right?

16 A. Yes.

17 Q. Can you tell me a little bit more about what that  
18 specific compliment is?

19 [REDACTED]  
20 there is a person from 7:00 PM -- from 7:00 AM to 7:00 PM,  
21 seven days a week. The person comes, starts cleaning the  
22 street, cleaning all the pink tubes and paraphernalia left  
23 behind, the garbage, even human feces. And by the time I  
24 go out, the street is clean.

25 Also, when there are people coming, trying to



6 came, they ask all these people not to be. So that's why I  
7 compliment Urban Alchemy.

8 Q. And I think you said before, Urban Alchemy has

10 in 2024; is that right?

11 A. No. I think that they have been earlier.

12 Q. Okay.

13 A. Probably at the beginning of 2023. I can't  
14 pinpoint when, but I think that in 2023 they were there.

15 Q. And so understanding that you don't know the  
16 exact date, your best estimate is that Urban Alchemy

18 that right?

19 A. Yes.

20 Q. And is it fair to say that Urban Alchemy has been

22 A. Yes.

23 Q. I think you -- oh. How would you describe the  
24 impact, if any, that you've seen of Urban Alchemy's  
25 presence in the Dodge Place area?

1 A. The impact, in which sense?

2 Q. The impact, if at all, on the conditions that  
3 you're explaining about in this lawsuit.

4 MR. MINOIEFAR: Object to form.

5 THE WITNESS: As I described, what they have been  
6 doing by not letting people there. That has been a  
7 positive effect.

8 BY MS. MURPHY:

9 Q. So would you say, in general, since Urban Alchemy  
10 started coming to Dodge Place, there have been fewer people  
11 congregating on the street and that people aren't staying  
12 there full-time because Urban Alchemy --

13 A. During the day, because at 7:00 PM they leave,  
14 and it's again no lens, and people come back together.

15 Q. So is it fair to say that between the hours of  
16 7:00 AM and 7:00 PM, Urban Alchemy has been effective at  
17 preventing people from congregating or sitting outside your  
18 home at Dodge Place?

19 A. Yes.

20 Q. I think you also mentioned as a third compliment  
21 that the City's been active on Dodge, for example, by  
22 painting walls and painting the floor; is that right?

23 A. Yes.

24 Q. Can you tell me what you mean by painting the  
25 wall and the floor?

1 home.

2 Q. So in other words the map on top of [Exhibit 2](#) is  
3 a fair description of the location where you live, but the  
4 photo on the bottom isn't your house, right?

5 A. Correct.

6 Q. No more questions for [Exhibit 2](#), but I am going  
7 to mark [Exhibit 3](#).

8 ([Exhibit 3](#) was marked for identification.)

9 THE COURT REPORTER: [Exhibit 3](#) marked.

10 THE WITNESS: Thank you.

11 BY MS. MURPHY:

12 Q. Take as much time as you need to look at it. My  
13 first question is, do you recognize [Exhibit 3](#)?

14 A. I do.

15 Q. Is [Exhibit 3](#) a series of photos of your home and  
16 then it looks like a layout of the apartment on the fourth  
17 page?

18 A. Yes.

19 Q. And are you -- is it your understanding that the  
20 person who owns the building where you live is currently  
21 trying to sell it?

22 A. Yes.

23 Q. And is [Exhibit 3](#) a copy of the photos that are  
24 put online with a listing for that property?

25 MR. MINOIEFAR: Object to form.

1 THE WITNESS: I don't -- I don't think so,  
2 honestly. But this seems to be from just a website.  
3 Except for that -- I don't think they have done this, but  
4 except for that, yes.

5 BY MS. MURPHY:

6 Q. Have you seen the photos in [Exhibit 3](#) before this  
7 deposition?

8 A. These pictures?

9 Q. Yes.

10 A. I've seen them in websites. That's why I said I  
11 don't think it's directly the heirs of the deceased owner.  
12 But yes, I've seen them generally on the website.

13 Q. And your understanding is that the three photos  
14 in [Exhibit 3](#) are photos of the place where you live?

15 A. One of the buildings is my place, correct.

16 Q. So that was going to be my first question is,  
17 looking at the first page of [Exhibit 3](#), do you see your  
18 home there?

19 A. I do.

20 Q. Can you describe to me where, on the first page  
21 of [Exhibit 3](#), you see your home?

22 A. In the building, the first building starting from  
23 the right on the picture, that's my building. The three  
24 windows on the top with the flowers and the green entrance,  
25 that's my building.

1 Q. And on the first page of [Exhibit 3](#), I also see  
2 some kind of painting on the street, like an artist  
3 painting. Do you see that?

4 A. Yes.

5 Q. Is that the painting that you were describing  
6 that the City did sometime in 2024?

7 A. Yes.

8 Q. Okay. And there are some very beautiful red  
9 flowers in the planters in your windows, do you see that?

10 A. Yes.

11 Q. Did you put those there?

12 A. Yes.

13 Q. Do you remember when you put those there?

14 A. That had to be probably in April this year, or --  
15 yeah.

16 Q. So your recollection is that you put red flowers  
17 in the planter boxes over your window sometime in April of  
18 2025?

19 A. Correct.

20 Q. Does exhibit -- the first page of [Exhibit 3](#)  
21 appear to be a photo of what your home looked like on some  
22 day between April 2025 and today?

23 A. Yes.

24 Q. Okay. Same thing for the second page of  
25 [Exhibit 3](#). I see the same red planters on the second page.

1 Do you see those?

2 A. Yes.

3 Q. And the home with the red planters -- red flowers  
4 in the planters on the second page of [Exhibit 3](#), that's  
5 your home?

6 A. Yes.

7 Q. Does the second page on [Exhibit 3](#) appear to be a  
8 photo of what your home looked like sometime between April  
9 2025 and today?

10 A. Yes.

11 Q. Okay. And same thing for the third page of  
12 [Exhibit 3](#). Do you see the home with the three planter  
13 boxes on the third page? The home with the planter boxes?

14 A. Oh, yeah. Yeah. Yeah. Sorry. I was on the  
15 wrong page.

16 Q. No worries. Let me know when you get to  
17 page 3.

18 A. I am.

19 Q. Do you see the home with the three planter boxes  
20 on the third page of [Exhibit 3](#)?

21 A. Yes.

22 Q. And that's your home?

23 A. Yes.

24 Q. Does page 3 of [Exhibit 3](#) appear to be a photo of  
25 what your home looked like some day between April 2025 and

1 today?

2 A. Yes.

3 Q. I also see, on -- let's go back to the first page  
4 of [Exhibit 3](#), just because it's easier on the front. I see  
5 some kind of planter boxes on the sidewalk of the first  
6 page in [Exhibit 3](#). Do you see those?

7 A. Yes.

8 Q. Do you remember when those showed up?

9 A. Those showed up probably -- could be at the end  
10 of 2023, beginning 2024.

11 Q. And have those planters been there consistently  
12 since they first arrived through today?

13 A. No.

14 Q. When do you remember them being gone?

15 A. Probably two weeks ago.

16 Q. Do you remember who put those planters there?

17 A. My understanding is the deceased owner that died  
18 in January 2025, the one that put them there. But I --  
19 that is not a firm knowledge.

20 Q. So is it fair to say your -- you have some basis  
21 of understanding that the former owner might have put them  
22 there but you're not confident to your own personal  
23 knowledge?

24 A. Yes.

25 Q. My understanding is that there is a contingent

1 basically the people has migrated to other areas.

2 [REDACTED]  
3 So the -- would you call it a street or an alley where you  
4 live?

5 A. Alley.

6 [REDACTED]  
7 [REDACTED]  
8 A. Yes.

9 [REDACTED]  
10 have changed for the better since you moved in?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: How? Because the amount of people  
13 there, the concentration has decreased.

14 BY MS. MURPHY:

15 Q. Any other ways, from your experience, that the

16 [REDACTED]  
17 A. Yes. The people from Urban Alchemy are cleaning,  
18 are keeping it very, very organized. The City painted the  
19 wall, the floor. They have been doing events. And the  
20 ambassador that is there from 7:00 to 7:00 deter people  
21 from coming to -- I don't know what other word than "hang  
22 out" I can use to describe what they do there.

23 Q. Are there any ways, from your perception, that

24 [REDACTED]  
25 you moved in and now?



1 MR. MINOIEFAR: Object to form.

2 THE WITNESS: No, I wouldn't say that they've  
3 gotten worse.

4 BY MS. MURPHY:

5 Q. We talked a little bit ago about the fact that  
6 you moved into the Tenderloin during covid; is that fair?

7 A. Yes.

8 Q. Were you familiar at all with the conditions in  
9 the Tenderloin before covid started?

10 MR. MINOIEFAR: Object to form.

11 THE WITNESS: Yes.

12 BY MS. MURPHY:

13 Q. Do you feel you have enough experience to say how  
14 the conditions during covid changed from what they were  
15 like before covid in the Tenderloin?

16 A. No.

17 Q. Okay. Let's say in the past -- well, let me back  
18 up.

19 Do you feel like you have enough information that  
20 if you saw an employee of the Department of Public Works in  
21 the City, you could recognize them?

22 A. Ask me again, please.

23 Q. Yeah. So I'm wondering, like, sometimes if  
24 people see a police officer, it's pretty obvious. They've  
25 got the uniform. Other city departments, it's maybe less

1 Q. Do you have any basis to believe that the City  
2 distributes smoking supplies at 685 Ellis Street?

3 MR. MINOIEFAR: Object to form.

4 THE WITNESS: I have no idea, to be honest.

5 BY MS. MURPHY:

6 Q. Do you have any basis to believe that anybody  
7 distributes smoking supplies at 685 Ellis Street?

8 MR. MINOIEFAR: Object to form.

9 THE WITNESS: Not from firsthand.

10 BY MS. MURPHY:

11 Q. What about secondhand?

12 A. Sorry?

13 Q. What about secondhand?

14 A. I know because when I was working in  
15 Larkin Street Youth Services they mentioned that the City  
16 was distributing, but I cannot tell if it's specifically in  
17 that location they were doing that.

18 Q. Do you remember who said that?

19 A. No. That was general knowledge.

20 Q. Do you have any reason to believe the conditions  
21 in the Tenderloin that you're complaining about are caused  
22 by the distribution of smoking supplies at 685  
23 Ellis Street?

24 MR. MINOIEFAR: Object to form.

25 THE WITNESS: I can't answer that. I have no

1 knowledge.

2 BY MS. MURPHY:

3 Q. Same questions but now for the Cova Hotel. Did  
4 you see there's a hotel called the Cova mentioned in  
5 paragraph 2?

6 A. Mm-hmm.

7 Q. Is that a yes?

8 A. Sorry. What's your question?

9 Q. Is that a yes?

10 A. About what --

11 Q. Let me ask a better question, and I'll start with  
12 a clarification. Because the court reporter is  
13 transcribing everything we say, sometimes people will  
14 answer with an uh-huh or huh-uh. If that happens, I'll  
15 follow up and say "Is that a yes or is that a no?"

16 A. Sorry.

17 Q. I don't mean to be rude. I just want to make  
18 sure the record's clear on a sound, kind of similar. Does  
19 that make sense?

20 A. Yes. Yes.

21 Q. The specific question then is, do you see that  
22 the Cova Hotel is one of the places you mention in  
23 paragraph 2 of [Exhibit 4](#)?

24 A. Yes.

25 Q. Do you have any basis to believe that the City

1 distributes smoking supplies at the Cova Hotel?

2 A. I have no knowledge about it.

3 Q. Do you have any basis to believe that anybody  
4 distributes smoking supplies at the Cova Hotel?

5 MR. MINOIEFAR: Object to form.

6 THE WITNESS: I don't know, honestly.

7 BY MS. MURPHY:

8 Q. Do you have any basis to believe that the  
9 conditions you're complaining about in this case are caused  
10 by the distribution of smoking supplies at the Cova Hotel?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: It's a multifaceted problem, so I  
13 can't pinpoint to one specific reason.

14 BY MS. MURPHY:

15 Q. Same thing now for Glide Memorial Church. Do you  
16 see that you mention Glide Memorial Church at 330  
17 Ellis Street in paragraph 2 of [Exhibit 4](#)?

18 A. Mm-hmm.

19 Q. Is that a yes?

20 A. Yes. Sorry.

21 Q. Do you have any basis to believe that the City  
22 distributes smoking supplies at Glide Memorial Church?

23 MR. MINOIEFAR: Object to form.

24 THE WITNESS: I'm not sure.

25 ///

1 BY MS. MURPHY:

2 Q. Do you have any basis to believe that anybody  
3 distributes smoking supplies at Glide Memorial Church?

4 MR. MINOIEFAR: Object to form.

5 THE WITNESS: I have no knowledge of that.

6 BY MS. MURPHY:

7 Q. Same question as before. Do you have any reason  
8 to believe that the conditions you're complaining about in  
9 this case are caused by somebody distributing smoking  
10 supplies at Glide Memorial Church?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I cannot, no.

13 BY MS. MURPHY:

14 Q. I'm going to switch to paragraph 3 --

15 A. Yes.

16 Q. -- in [Exhibit 4](#). In paragraph 3, the first  
17 sentence says, "The sidewalks in my neighborhood are  
18 frequently blocked by groups of people who appear to be  
19 homeless and drug users." Do you see that?

20 A. Yes.

21 Q. What specific sidewalks were you referring to in  
22 paragraph 3?

23 MR. MINOIEFAR: Object to form.

24 THE WITNESS: It would be all afternoon if I  
25 start to describe it because it's -- well, I mean, I can't

1 coming when they know it's gone, and intensifies between  
2 midnight and 7:00, which is when the ambassador came.

3 Q. What about the volume of people that you see on  
4 [REDACTED]  
5 in 2020?

6 A. Yes.

7 Q. Any details about how much less?

8 A. Well, since the ambassadors are here, it's  
9 dramatically less. I would say that then, if we use ten as  
10 a barometer, maybe now it's a three.

11 Q. That's helpful. So on a scale of one to ten, you  
12 would say in October 2020 it was at a ten?

13 A. Yeah.

14 Q. And in September 2025 it's a three; is that --

15 A. Yes.

16 Q. Anybody else besides you who would have knowledge  
17 about this?

18 MR. MINOIEFAR: Object to form.

19 THE WITNESS: I can only guess that my neighbors  
20 experience the same. So probably yes, they.

21 BY MS. MURPHY:

22 Q. Besides your neighbors, anybody else that you  
23 believe would have knowledge about this, what you're  
24 describing in paragraph 3 of [Exhibit 4](#)?

25 A. Probably my husband too.

1 Q. So in addition to your husband and the other

3 would know about the conditions of in paragraph 3 of  
4 [Exhibit 4](#)?

5 A. Maybe, but I don't know.

6 Q. Yeah. All right. I'm going to look one to two  
7 sentences further down in paragraph 3.

8 A. Yes.

9 Q. It says, "I also see lots of discarded items such  
10 as garbage, syringes, needles, aluminum foil, and what  
11 appear to be pipes for smoking drugs." Do you see that?

12 A. Yes.

13 Q. Has the volume of those materials that you see in  
14 Dodge Place changed over time?

15 A. Yes.

16 MR. MINOIEFAR: Object to form.

17 BY MS. MURPHY:

18 Q. How has it changed over time?

19 A. It's correlated to the amount of people.

20 Q. Mm-hmm.

21 A. So now that there are less people congregated  
22 there, the material and garbage they leave behind is less.

23 Q. So is it fair to say, in terms of the one to ten

25 in October 2020 was a ten, right now it would be a three?

1 are undocumented people and they are a variable, very hard  
2 to understand because they haven't changed the ways that  
3 they deal drugs. So that is another concern. I don't know  
4 if, you know, somebody like, for example, in El Salvador,  
5 Bukele, the President, was pushing gangs to stop and I've  
6 heard many of those illegally enter the country. And they  
7 have houses in El Salvador in very remote areas with signs  
8 of the Giants or the Forty-Niners, like, because they  
9 receive the money from here after dealing drugs. So that  
10 is another variable.

11 Q. To make sure I'm tracking it, the reasons you're  
12 not confident that the positive response in the Tenderloin  
13 will remain consistent over time are funding, political  
14 issues, national variables, the potential for a new mayor,  
15 and international variables?

16 A. Yes, of course. That is very macro.

17 Q. Any other reasons that you're not confident the  
18 response in the Tenderloin will remain consistent over  
19 time?

20 A. Not that I can think of.

21 Q. And a couple questions about you and  
22 travel/vacations. So I think I heard you mention that your  
23 most recent degree was from Buenos Aires; is that right?

24 A. Yes.

25 Q. Was that online or did you travel?



1 THE WITNESS: No. I can't say that.

2 BY MS. MURPHY:

3 Q. Turning to the final page of [Exhibit 4](#) that's got  
4 paragraph 7. Let me know when you get there.

5 A. Yes.

6 Q. Paragraph 7 mentions that the condition --  
7 conditions outside your home do improve at times. Do you  
8 see that?

9 A. Yes.

10 Q. What do you mean when you say that they improve  
11 at times?

12 A. Because sometimes in the morning when I go out  
13 early, the street is clean. Some other times, it's not  
14 clean. So what causes this, no idea. Sometimes there are  
15 more people during the night leaving way more things  
16 behind, and some other times they are not. So that's why  
17 it's variable.

18 Q. Yeah. Paragraph 7 also says that the conditions  
19 in the Tenderloin have been largely consistent over time.  
20 Do you see that?

21 MR. MINOIEFAR: Object to form.

22 THE WITNESS: Let me see.

23 MS. MURPHY: Yeah. Take your time.

24 THE WITNESS: Oh. Yes. My home will improve,  
25 they have been largely consistent and have had a

1 Q. What's the difference for you?

2 A. Because by burning, they burn cardboards in  
3 winter to be warm, and they burn substances in their foil  
4 paper or their pipes, the glass pipes they use. That's --  
5 those are the gases liberated.

6 Q. Let me try to then rephrase number one to make  
7 sure I'm tracking. The substantial impact on your use and  
8 enjoyment of your home in number one is people either  
9 burning or smoking items that, to you, smell like an  
10 electric short, and as a result you believe that your --  
11 whatever the thing is they're smoking or burning, you're  
12 now inhaling it because --

13 A. Yes.

14 Q. -- You can smell it?

15 A. Exactly.

16 Q. Other than these 18 things, anything else, as you  
17 sit here today, you believe that is a substantial impact on  
18 your ability to use and enjoy your home from the conduct  
19 described in [Exhibit 4](#), as you used that phrase in your  
20 declaration?

21 MR. MINOIEFAR: Object to form.

22 THE WITNESS: No. That -- to my best  
23 recollection, that would be it.

24 BY MS. MURPHY:

25 Q. Okay. I'm going to ask the same couple questions

1 about each of these 18 things. So for number one, the  
2 smell when someone is burning or smoking outside your home,  
3 do you have any basis to believe that's caused by the  
4 City's affirmative conduct?

5 A. I have no idea.

6 MR. MINOIEFAR: Object to form.

7 BY MS. MURPHY:

8 Q. Do you have any basis to believe that number one,  
9 the burning and smoking, is caused by the City distributing  
10 smoking supplies in the Tenderloin?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I have no idea.

13 BY MS. MURPHY:

14 Q. This is going to be very similar. I'm going to  
15 go through all 18.

16 For number two, smelling unusual smells. Any  
17 reason to believe that's caused by the City's affirmative  
18 conduct?

19 MR. MINOIEFAR: Object to form.

20 THE WITNESS: I have no idea.

21 BY MS. MURPHY:

22 Q. For number two, smelling unusual smells, any  
23 reason to believe that is caused by the City distributing  
24 smoking supplies in the Tenderloin?

25 MR. MINOIEFAR: Object to form.

1 THE WITNESS: I don't know.

2 BY MS. MURPHY:

3 Q. Number 3, having to call the fire department  
4 because of fires. Any reason to believe that's because of  
5 the City's affirmative conduct?

6 MR. MINOIEFAR: Object to form.

7 THE WITNESS: I don't know.

8 BY MS. MURPHY:

9 Q. Any reason to believe that's because of the City  
10 distributing smoking supplies in the Tenderloin?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I don't know.

13 BY MS. MURPHY:

14 Q. Number 4, not being able to have your dogs use  
15 the sidewalk in front of your home for fear of needles or  
16 syringes, any reason to believe that's caused by the City's  
17 affirmative conduct?

18 MR. MINOIEFAR: Object to form.

19 THE WITNESS: Well, many of the broken items left  
20 behind, I cannot say if they are coming from the City. But  
21 those are the items that make challenging to walk my dogs.  
22 Might or might not be connected. I don't know if those are  
23 the items that the City distributes. If they are, yes,  
24 that is a hazard that I have to endure. But I cannot say  
25 if they bought it or it was given to them.

1 BY MS. MURPHY:

2 Q. That's my question, is do you have any reason to  
3 believe that the City caused the thing you're complaining  
4 about as Number 4, which is your inability to let your dog  
5 use the sidewalk in front of your home for fear that  
6 there's going to be needles or glass pipes or something for  
7 them to step on?

8 MR. MINOIEFAR: Object to form.

9 THE WITNESS: I cannot offer that.

10 BY MS. MURPHY:

11 Q. Any reason to believe that Number 4 on your list,  
12 the ability for your dog to use the street, was caused by  
13 the City distributing smoking supplies in the Tenderloin?

14 MR. MINOIEFAR: Object to form.

15 THE WITNESS: No, I can't.

16 BY MS. MURPHY:

17 Q. Number 5, you mentioned distressing background  
18 sounds while you're on a professional Zoom. Any reason to  
19 believe that's caused by the City's affirmative conduct?

20 MR. MINOIEFAR: Object to form.

21 THE WITNESS: No, I can't.

22 BY MS. MURPHY:

23 Q. Any reason to believe that's caused by the City  
24 distributing smoking supplies in the Tenderloin?

25 MR. MINOIEFAR: Object to form.

1 THE WITNESS: I don't know.

2 BY MS. MURPHY:

3 Q. Number 6, noises on the street that will wake you  
4 up at night. Any reason to believe that's caused by the  
5 City's affirmative conduct?

6 MR. MINOIEFAR: Object to form.

7 THE WITNESS: I don't know.

8 BY MS. MURPHY:

9 Q. Any reason to believe that's caused by the City  
10 distributing smoking supplies in the Tenderloin?

11 MR. MINOIEFAR: Object to form.

12 THE WITNESS: I don't know.

13 BY MS. MURPHY:

14 Q. Number 7, people putting things through your mail  
15 slot that come into your home. Any reason to believe  
16 that's caused by the City's affirmative conduct?

17 MR. MINOIEFAR: Object to form.

18 THE WITNESS: I don't know.

19 MS. MURPHY: Let me pause for a second. Is it  
20 fair to say that you have a standing objection to all these  
21 questions?

22 MR. MINOIEFAR: That will work, yes.

23 BY MS. MURPHY:

24 Q. For Number 7, people putting things through your  
25 mail slots and they come into your home, any reason to

1 believe that's caused by the City's affirmative conduct?

2 A. I don't know.

3 Q. Any reason to believe that's caused by the City  
4 distributing smoking supplies in the Tenderloin?

5 A. I have no idea.

6 Q. Number 8, the stress hormones that come with  
7 dealing with everything else on this list, any reason to  
8 believe that's caused by the City's affirmative conduct?

9 A. I can't say that.

10 Q. Any reason to believe that's caused by the City  
11 distributing smoking supplies in the Tenderloin?

12 A. I don't know.

13 Q. Number 9, hesitancy to invite people or family  
14 members over for dinner because they'd have to encounter

16 caused by the City's affirmative conduct?

17 A. I can't say.

18 Q. Any reason to believe that's caused by the City  
19 distributing smoking supplies in the Tenderloin?

20 A. I don't know.

21 Q. Number 9, finding people camped in front of your  
22 garage so it makes you not want to use the garage yourself,  
23 any reason to believe that's caused by the City's  
24 affirmative conduct?

25 A. I can't say.

1 Q. Any reason to believe it's caused by the City  
2 distributing smoking supplies in the Tenderloin?

3 A. I don't know.

4 Q. Number 11, people actually putting their tents  
5 inside your garage. Any reason to believe that's caused by  
6 the City's affirmative conduct?

7 A. I can't say.

8 Q. Any reason to believe that's caused by the City  
9 distributing smoking supplies in the Tenderloin?

10 A. I don't know.

11 Q. People stealing or -- from your garage, or  
12 panhandling in front of your garage, any reason to believe  
13 that's caused by the City's affirmative conduct?

14 A. I can't say.

15 Q. Any reason to believe that's caused by the City  
16 distributing smoking supplies in the Tenderloin?

17 A. I don't know.

18 Q. We're making progress.

19 Number 13, people destroying the flowers from the  
20 planters in front of your home, any reason to believe  
21 that's caused by the City's affirmative conduct?

22 A. I don't know.

23 Q. Any reason to believe that's caused by the City  
24 distributing smoking supplies in the Tenderloin?

25 A. I can't say.



Place. Any reason to believe that's caused by the City's affirmative conduct?

A. I don't know.

Q. Any reason to believe that's caused by the City distributing smoking supplies in the Tenderloin?

A. I can't say.

Q. Number 15, loud music at night that wakes you up, it makes you have to confront the people who are making the noise. Any reason to believe that's caused by the City's affirmative conduct?

A. I don't know.

Q. Any reason to believe that's caused by the City distributing smoking supplies in the Tenderloin?

A. I don't know.

Q. Number 16, internet connectivity issues caused by people breaking the plastic pipe around the internet cable. Any reason to believe that's caused by the City's affirmative conduct?

A. I don't know.

Q. Any reason to believe that's caused by the City distributing smoking supplies in the Tenderloin?

A. I can't say.

Q. Number 17, needing to clean feces off the walls, garage, and ground near your home. Any reason to believe

1 that's caused by the City's affirmative conduct?

2 A. I don't know.

3 Q. Any reason to believe that's caused by the City  
4 distributing smoking supplies in the Tenderloin?

5 A. I can't say.

6 Q. And Number 18, having to clean up your dog after  
7 he's -- he or she has investigated feces around your home

8 [REDACTED]  
9 City's affirmative conduct?

10 A. I can't say.

11 Q. Any reason to believe that's caused by the City  
12 distributing smoking supplies in the Tenderloin?

13 A. I don't know.

14 Q. Thank you.

15 MR. MINOIEFAR: Just to put on the record, my  
16 same objection spoke is now ending with that last question.

17 MS. MURPHY: Thank you.

18 Q. We just talked a little bit about harm that you  
19 believe you suffered from the conduct described in  
20 [Exhibit 4](#). I now want to turn slightly to see if there are  
21 any additional things that you believe caused the -- or let  
22 me ask a better question.

23 I want to make sure I understand all of the  
24 conditions in the Tenderloin that you're complaining about  
25 in this case. We just got a good list, I think one through

1 review the record and provisionally designate as  
2 confidential, pending my review and line item designations.

3 MS. MURPHY: Anything else you need from us  
4 before we agree to go off the record?

5 THE REPORTER: No.

6 MS. MURPHY: Agree to go off?

7 MR. MINOIEFAR: Agree.

8 THE VIDEOGRAPHER: This concludes the deposition  
9 of John Roe. The number of media files uses was four. The  
10 originals will be retained by Behmke Reporting & Video  
11 Services.

12 (At 1:28 P.M., the deposition proceedings adjourned  
13 sine die.)  
14  
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JOHN ROE  
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1 STATE OF CALIFORNIA )  
2 COUNTY OF SONOMA ) ss.

3 I, PAULA BEHMKE, CSR No. 6284 for the State of  
4 California, do hereby certify:

5 That the witness in the foregoing deposition of  
6 JOHN ROE, was by me duly sworn to testify to the truth, the  
7 whole truth and nothing but the truth, in the  
8 within-entitled cause; that said deposition was taken at  
9 the time and place herein named; and that the deposition is  
10 is a true record of the witness's testimony as reported by  
11 me, a duly certified shorthand reporter and a disinterested  
12 person, and was thereafter transcribed into typewriting by  
13 computer.

14 I further certify that I am not interested in the  
15 outcome of the said action, nor connected with nor related  
16 to any of the parties in said action, nor to their  
17 respective counsel.

18 IN WITNESS WHEREOF, I have hereunto set my  
19 hand this 16th day of September, 2025.

20 Read and Sign was: Requested.

21  
22   
23

24 PAULA S. BEHMKE, CSR NO. 6284

25 STATE OF CALIFORNIA

1 STATE OF CALIFORNIA )

2 COUNTY OF NAPA ) ss.

3 I, MICHELLE CORRIGAN, CSR NO. 9079 for the State  
4 of California, do hereby certify:

5 That the witness in the foregoing deposition of  
6 JOHN ROE, was by me duly sworn to testify to the truth, the  
7 whole truth and nothing but the truth, in the  
8 within-entitled cause; that said deposition was taken at  
9 the time and place herein named; and that the deposition is  
10 is a true record of the witness's testimony as reported by  
11 me, a duly certified shorthand reporter and a disinterested  
12 person, and was thereafter transcribed into typewriting by  
13 computer.

14 I further certify that I am not interested in the  
15 outcome of the said action, nor connected with nor related  
16 to any of the parties in said action, nor to their  
17 respective counsel.

18 IN WITNESS WHEREOF, I have hereunto set my  
19 hand this 16th day of September, 2025.

20 Read and Sign was: Requested.

21  
22   
23

24 MICHELLE CORRIGAN, CSR NO. 9079

25 STATE OF CALIFORNIA